EDMUND G. BROWN JR.
Attorney General of the State of California
DAVID S. CHANEY
Chief Assistant Attorney General
ROCHELLE C. EAST
Senior Assistant Attorney General
MICHELLE DES JARDINS
Supervising Deputy Attorney General
SYLVIE P. SNYDER, State Bar No. 171187
Deputy Attorney General
110 West A Street, Suite 1100
San Diego, CA 92101
P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 645-2299
Fax: (619) 645-2581
Email: Sylvie.Snyder@doj.ca.gov

Attorneys for Defendants J. Salgado, J. Tilton, K. Ball, B. Garrett, G. Janda, R. Johnson, R. Nelson, T. Ochoa, W. Price, R. Widmann, M. Bourland, M. Arvizu, T. Catlett, M. Correa, D. Noriega, and V. O'Shaughnessy

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

NEHEMIAH ROBINSON, Plaintiff, **v.** **T. CATLETT, et al.,** Defendants.	08-CV-00161-H (BLM) **DECLARATION OF SYLVIE P. SNYDER IN SUPPORT OF EX PARTE APPLICATION FOR STAY OF DISCOVERY** Courtroom: 5140 Judge: The Honorable Barbara L. Major

I, Sylvie P. Snyder, declare the following:

1. I am employed as a Deputy Attorney General for the Office of the California Attorney General. I am the Deputy Attorney General assigned as Defendants' counsel in this action, and I am an attorney duly licensed to practice before this Court.

2. This Declaration is made in support of Defendants' Ex Parte Application for Stay of

Discovery. The facts contained in this Declaration are based upon my personal knowledge, and if called to testify, I could competently testify thereto.

3. Plaintiff Nehemiah Robinson is an inmate currently incarcerated at Calipatria State Prison, Calipatria, California. Plaintiff's First Amended Complaint, brought under 42 U.S.C. § 1983, alleges Defendants violated Plaintiff's First, Eighth and Fourteenth Amendment rights as well as his rights under the Americans with Disabilities Act, 42 U.S.C. § 12131 *et seq*. and the Rehabilitation Act, 29 U.S.C. § 794. Specifically, Plaintiff alleges he suffers from severe arthritis of many major joints and diffuse joint disease, along with serious problems with his right knee, which have caused him to have "severe chronic pain" for a "number of years" in the major joints and the right knee. In his four counts, Plaintiff complains he was denied a lower bunk, he was denied use of a cane due to a false report, he was otherwise denied use of a cane, and he was denied pain medication.

4. On July 15, 2008, I filed on Defendants' behalf a Motion to Dismiss Plaintiff's First Amended Complaint which seeks to dismiss every cause of action, or alternatively, some causes of action and several of the 16 Defendants. This Motion is currently pending before the Court.

5. On or about September 2, 2008, I received 16 sets of Plaintiff's "First Set of Interrogatories" separately propounded to all 16 Defendants.

6. I have no reason to believe Plaintiff will be prejudiced by an order staying discovery until after the Court has ruled on Defendants' pending Motion to Dismiss Plaintiff's First Amended Complaint.

7. On September 10, 2008, I caused a copy of Defendants' Ex Parte Application, this Declaration and the proposed order to be faxed to the Litigation Coordinator at Calipatria State Prison, Calipatria, California for personal service of these documents on Plaintiff. The Litigation Coordinator informed me that Plaintiff should be personally served with these documents by September 12, 2008.

I declare under penalty of perjury under the laws of the Unites States and State of California that the foregoing is true and correct.

Executed this 10th day of September, 2008, in San Diego, California.

s/ Sylvie P. Snyder
____
SYLVIE P. SNYDER
Deputy Attorney General
Attorneys for Defendants

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